HOME SECRETARIAT

NOTIFICATION.

Bangalore, dated 22nd July 1971.

G. S. R. 243.—In exercise of the powers conferred by section 21 of the Mysore Habitual Offenders Act, 1961 (Mysore Act No. 24 of 1961), the Government of Mysore hereby makes the following rules to amend the Mysore Habitual Offenders Rules, 1969 namely :—

1. Title and commencement.—(1) These rules may be called the Mysore Habitual Offenders (Amendment) Rules, 1971.

(2) They shall come into force at once.

2. Amendment of rule 2.—In clause (h) of rule 2 of the Mysore Habitual Offenders Rules, 1969 (hereinafter referred to as the said rules), for the words "of receive", the words "to receive" shall be substituted.

3. Amendment of rule 4.—For sub-rule (2) of rule 4 of the said rules, the following sub-rule shall be substituted, namely :—

"(2) The notice shall, if practicable, be served personally by delivering or tendering the duplicate of the notice to the habitual offender."

4. Amendment of rule 13.—For sub-rule (3) of rule 13 of the said rules, the following sub-rule shall be substituted, namely :—

"(3) In other cases, the Superintendent of Police may grant to a restricted person leave of absence exceeding fifteen days and issue the pass."

5. Amendment of rule 14.—In rule 14 of the said rules, for the heading "Manner of journey covered by pass", the following shall be substituted, namely :—

"Restrictions on movement during period of leave".

6. **Amendment of rule 15.**—In rule 15 of the said rules, for the heading "Duration of the pass", the following shall be substituted, namely :—

"Withdrawal and cancellation of pass"

7. **Amendment of rule 17.**—In sub rule (2) of rule 17 of the said rules, for the words "any police officer" the words "any Police Patel or Police Officer" shall be substituted.

8. **Amendment of rule 28.**—In rule 28 of the said rules,—

(i) in sub-rule (3) for the word "period", the word "place" shall be substituted;

(ii) at the end of sub-rule (4), the following shall be added, namely :—

"He shall make a record in writing of such special circumstance before granting exemption."

9. **Amendment of rule 29.**—In rule 29 of the said rules, for the word "items", the word "things" shall be substituted.

10. **Amendment of rule 31.**—In rule 31 of the said rules,—

(i) for the words "things seized", "attachment", the words "seized property" and "respectively be substituted;

(ii) for the words "record the settlement" the words "record the said order" shall be substituted.

(iii) for the words "was attached so as to affect his possession of the things so seized from his possession" shall be substituted.

11. **Amendment of rule 33.**—In rule 33 of the said rules,—

(i) in clause (d) after the word "permit", the words "granted under medical advice" shall be inserted;

(ii) in clause (j) for the word "mortgage", the word "pledge" shall be substituted.

12. **Amendment of rule 34.**—After clause (f), of rule 34 of the said rules, the following clause shall be inserted namely :—

"(g) execution of a bond with or without personal or cash surety in an amount not exceeding rupees twenty-five."

13. **Amendment of rule 36.**—In rule 36 of the said rules for the words "attach", "attachment" and "attached" wherever they occur the words "seize", "seizure" and "seized" shall respectively be substituted and for the words "and enquiry" the words "an enquiry" shall be substituted.

14. **Amendment of rule 38.**—In the heading of rule 38 of the said rules for the word "one", the words "from one" shall be substituted.

15. **Substitution of new rule for rule 46.**—For rule 46 of the said rules, the following rule shall be substituted, namely :—

"46. *Review of cases of all persons whose movements have been restricted.*—(1) A Board consisting of the District Magistrate of the District, the Assistant Commissioner Officer in charge of the Sub-Division of Police shall be constituted for reviewing the cases of persons whose movements have been restricted. The District Magistrate shall be Chairman and the Superintendent of Police shall be the *Ex-Officio* Secretary of the Board.

(2) The cases of persons whose movements have been restricted under this Act shall be reviewed once in every six months by the Board. If on such review the Board considers it advisable or desirable to rescind the order of restriction of movement before the expiry of the period specified in such order, it may make a recommendation to the Government in this regard."

16. Amendment of Form B.—In Form B of the said rules, after the words "in the said Register" the following shall be inserted, namely :—

> "If you fail to show cause why the entry should not be made within the time specified above it shall be presumed that you have no objection to the entries being made and action will be taken accordingly."

[No. HD 1 PRH 71.]

By Order and in the name of the President of India,

K. S. L. SASTRY,

Under Secretary.

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